



COPY OF PAPERS
ORIGINALLY FILED

RECEIVED

APR 01 2002

Attorney's Docket No.: C103977044(AWS)

TECH CENTER 1600/29

#9138
4/9/02

Applicant(s): Hartmann et al.
Serial No.: 09/672,126
Confirmation No.: 6887
Filed: 27 September 2000
For: METHODS RELATED TO IMMUNOSTIMULATORY NUCLEIC
ACID-INDUCED INTERFERON
Examiner: Q. Nguyen
Art Unit: 1632

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 15th day of March, 2002.

Yvonne Lingo
Yvonne Lingo

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

PETITION FOR TWO MONTH EXTENSION

In response to the Restriction Requirement mailed December 18, 2001, Applicants hereby request entry of the following election. Applicants also request a Two Month Extension of Time to and including March 18, 2002. A check in the amount of \$400.00 to cover the extension fee is enclosed.

ELECTION

Applicants hereby elect the claims of Group I, claims 1-24, 65, 82, 103, 176, 199, and 202-203. In addition, Applicants further elect the following ten SEQ ID NOs: 7, 9, 11, 13, 24, 25, 30, 33, 36, and 37.

REMARKS

In response to the Restriction Requirement, Applicants have elected the claims of Group I and the sequences of SEQ ID NOs 7, 9, 11, 13, 24, 25, 30, 33, 36, and 37 for examination, with traverse.

It is Applicants' understanding that the oligonucleotides described in the claims are different from the nucleic acids covered under the requirements limiting examination to 1-10 sequences. The described oligonucleotides share a common structural motif, similar to a

chemical structure. Thus, the class of oligonucleotides should be treated as a species/genus rather than as completely separate and distinct nucleic acid sequences. The nucleic acids subject to the restriction limitation of 1-10 sequences are unrelated nucleic acids. The oligonucleotides that are the subject matter of the claims are a related class of chemical compounds having a generic common structural entity.

Applicants expressly reserve the right to file one or more divisional applications on the subject matter of the nonelected claims. If the Examiner has any questions or comments, he is encouraged to contact the Applicants' representative at the number listed below.

Respectfully submitted,



Alan W. Steele, Reg. No. 45,128
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210-2211
(617) 720-3500

Docket No.: C1039/7044(AWS)
Dated: March 15, 2002
X03/18/0